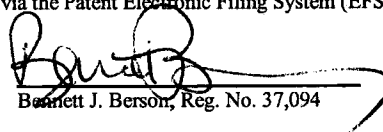


I hereby certify that, on the date shown below, this correspondence is being transmitted via the Patent Electronic Filing System (EFS) addressed to Examiner Mummert at the United States Patent and Trademark Office.

Date of Signature and Deposit: March 2, 2010


Bennett J. Berson, Reg. No. 37,094

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: David C. Schwartz, *et al.*

Date: March 2, 2010

Serial No.: 10/713,898

Art Unit: 1637

Filing Date: October 18, 2002

Examiner: Stephanie K. Mummert

Title: MICRO FLUIDIC SYSTEM FOR SINGLE MOLECULE IMAGING

Confirmation No.: 4216

File No.: 960296.99047

**NOTICE OF APPEAL TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P O Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants appeal to the Board of Patent Appeals and Interferences from the final rejection of Claims 21, 23-24, and 26-27 contained in the Office Action mailed on December 2, 2009 in the subject patent application.

This appeal is being taken with respect to all claims now under consideration.

The applicant is a small entity. The \$270.00 fee for filing this Notice of Appeal should be charged to Deposit Account No. 17-0055.

Respectfully submitted,



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